IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.18265-M of 2006
Date of decision: February 5, 2007.

Amarjit Singh

...**Petitioner(s)**

v.

State of Punjab & Anr.

...**Respondent(s)**

Present: Mrs. G.K. Mann, Advocate for the petitioner.

Shri B.S. Baath, Assistant AG, Punjab
for respondent No.1.

Shri Sanjiv Manrai, Advocate for respondent No.2

Surya Kant, J. (Oral)

It is stated by Shri Baath, learned AAG, Punjab, on instructions from ASI Kuldeep Singh, that on completion of the investigation, challan has already been presented against respondent No.2. It is pointed out that the allegations in the FIR have originated out of an 'agreement to sell' purported to have been executed between the parties.

However, the petitioner's allegation that after getting the pre-arrest bail, respondent No.2 and his associates threatened him with dire consequences, cannot be taken as a mere figment of imagination. It appears that the threat caused by respondent No.2 led to recording of DDR No.25 dated 9th March, 2006 (Annexure P-4), which further led to initiation of proceedings under section 107/109 Cr.P.C.

Learned Counsel for the respondent No.2, however, undertakes that respondent No.2 shall not give rise to any such cause which may unnecessarily create apprehension in the petitioner's mind.

After hearing Learned Counsel for the parties and with a view to ensure that respondent No.2 does not misuse the concession of pre-arrest bail already granted to him, this petition is disposed of with a direction to

him (Nirmal Singh s/o Teja Singh) and his associates, namely, Malwinder Singh and Nirpal Singh to deposit their licensed weapons with the police station concerned within seven days from today, failing which the police of Police Station Dhanaula shall take coercive steps to recover and take into possession these weapons till the conclusion of the trial and/or deposition to be made by the petitioner and other vital witnesses in the pending civil suit.

Disposed of.

February 5, 2007. [**Surya Kant**]
kadyan **Judge**